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REMARKS

Claim 3 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The subject matter of claim 3 is suitably revised in the newly entered claims and all of the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

Claims 1-3 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Bianchi et al. '479 in view of Grobicki et al. '474. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the following remarks.

Bianchi et al. '479 teaches an architecture for signal distribution in a wireless data network. This data network transmits both upward and downward signals. The downward signals, from the CATV plant 15-1 to the access points and personal computers, have a frequency range of between 50-750 MHz. In the reverse direction, from the access points and personal computers to the CATV plant 15-1 different frequency signals in the range of -40 MHz are transmitted.

Grobicki et al. '474 teaches a communication highway network system. This network system uses a 6 MHz bandwidth in both the upward and downward direction to transmit data (column 7, lines 3-6)

However, these references are in distinct contrast to the arrangement of the currently claimed invention. In particular, the newly entered claims contain the limitations of a downward signal at one frequency and an upward signal of two different frequencies. The first upward frequency can be higher than the downward frequency and the second upward frequency can be lower than the downward frequency. This allows for greater flexibility in wireless LAN design and increased capacity for transfer of data through the system. In addition, the LAN system includes a LAN frequency band which is distinct from the wireless frequency band. The use

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of two different frequency bands, one for the wireless transmission section between two buildings, for example, and the other for transmission of the signal between an access point and one or more wireless terminals within a single building.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, each of the independent claims of this application now recite the features of a wireless LAN system to be connected to a bi-directional CATV system

comprising an access point capable of being accessed from at least one wireless terminal; wherein the bi-directional CATV system uses a first frequency band and a second frequency band for transmitting upward signals; the bi-directional CATV system comprises a wireless transmission section....using a wireless frequency band in a transmission path between a center equipment of the bi-directional CATV system and the access point; the wireless LAN system includes a LAN frequency band distinct from the wireless frequency band; and the LAN frequency band is used for wireless transmitting of signals between the at least one wireless terminal and the access point.

Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Bianchi et al. '479 and Grobicki et al. '474 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised

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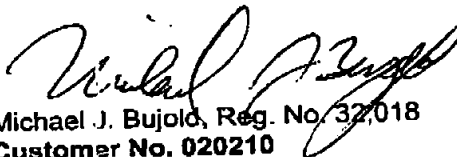
rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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